



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2015

CORAM

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.(MD)Nos.13809 and 13810 of 2015

In Crl.O.P.(MD)No.13809 of 2015:

Renganayaki @ Divya

... Petitioner/Petitioner/
Defacto Complainant

Vs.

1.Sathishkumar

2.Pandiaraj

3.Kalaiselvi

4.Jothilakshmi

.. Respondents 1 to 4/A1 to A4 in
C.C.No.53 of 2013

5.State through Inspector of Police,

All Women Police Station,

Virudhunagar,

In Crime No.1 of 2013

.. 5th Respondent/Complainant

PRAYER in 13809 of 2015: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to call for the records from the Principal Sessions Judge in Tr.C.M.P.No.1418 of 2015 and to set aside the orders passed in Tr.C.M.P.No.1418 of 2015 dated 02.07.2015 and may be pleased to allow the transfer petition by transferring the above C.C.No.53 of 2013 on the file of the Judicial magistrate No.II, Virudhunagar to any other court of competent jurisdiction within Virudhunagar District.

In Crl.O.P.(MD)No.13810 of 2015:

Renganayaki @ Divya

... Petitioner/Petitioner/
Defacto Complainant

Vs.

1.Sathishkumar

2.Pandiaraj

3.Kalaiselvi

4.Jothilakshmi

... Respondents 1 to
4/Respondents 1 to 4

PRAYER in Crl.O.P.No.13810 of 2015: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure to call for the records from the Principal Sessions Judge in Tr.C.M.P.No.3397 of 2015 and to set aside the orders passed in Tr.C.M.P.No.3397 of 2015 dated 02.07.2015 may be pleased to allow the transfer petition by transferring the above M.C.No.9 of 2013 to any other court of competent jurisdiction within Virudhunagar District.

For Petitioners
In two petitions

: Mr.S.Ravi

For R5

: Mr.K.Anbarasan

In Crl.O.P.No.13809/15

Govt. Advocate (Crl.side)

For R1 to R4 in

both petitions

: Mr.M.Jothibas

C O M M O N O R D E R

<https://hcservices.ecourts.gov.in/hcservices/>
The Criminal Original petition in Crl.O.P.No.13809 of 2015 has been filed under Section 482 of Cr.P.C seeking transfer of C.C.No.53 of 2013 pending on the file of the learned Judicial Magistrate No.2,



Virudhunagar to any other court of competent jurisdiction within Virudhunagar District stating that though the petitioner has filed an application for search warrant, no order has been filed.

The Criminal Original Petition in CrI.O.P.No.13810 of 2015 has been filed seeking to set aside the order passed in Tr.C.M.P.No.3397 of 2015 and for consequential direction to transfer the case in M.C.No. 9 of 2013 to any other court of competent jurisdiction within Virudhunagar District.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.side) appearing for the State and the learned counsel appearing for the accused.

3. The learned counsel appearing for the accused would submit that he has no objection to transfer the case to the Court of the Judicial Magistrate No.1, Virudhunagar. He further submitted that M.C.No.9 of 2013, which is pending before the learned Judicial Magistrate No.2, Virudhunagar may be transferred to the Court of Judicial Magistrate NO.1, Virudhunagar.

4. Considering the rival submissions made by both sides and the consent expressed by the learned counsel for the accused, the cases in C.C.No.53 of 2013 and M.C.No. 9 of 2013 pending on the file of the learned Judicial Magistrate No.2, Virudhunagar are ordered to be withdrawn and transferred to the file of learned Judicial Magistrate No.1, Virudhunagar for disposal in accordance with law. The learned Judicial Magistrate No.2, Virudhunagar is directed to transmit the records within one week from the date of receipt of copy of this order. Since the matter is of the year 2013, the learned Judicial Magistrate No.1, Virudhunagar is directed to dispose of the two cases within a period of four weeks from the date of receipt of records.

5. With the above directions, the petitions are disposed of. Consequently, connected M.P.s are closed.

Sd/-

The Assistant Registrar(record)

/True copy/

Sub-Assistant Registrar

To

- 1.The Inspector of Police,All Women Police Station,Virudhunagar,
- 2.The Judicial Magistrate No.1, Virudhunagar District.
- 3.The Judicial Magistrate No.2, Virudhunagar District.
- 4.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.

+2cc to M/s.S.Ravi, Advocate SR.No.55299, 55300/15

+1cc to G.Marimuthu, Advocate SR.No.55355

ses

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CRL.O.P.Nos. 13809
and 13810 of 2015